

BEFORE THE
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation and
Decision Against:

RANDY RAND, Ed.D.
P.O. Box 569
Mill Valley, CA 94942

Psychologist's License No. PSY 12137

Respondent.

Case No. 1F 2004 158933

OAH No. 2007080577

**BRIEFING ORDER AND
SET ASIDE OF COSTS**

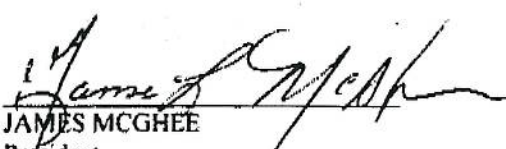
Following discipline of his license by the Board of Psychology ("Board") on May 29, 2009, Respondent filed a petition for a writ of mandate on or about June 10, 2009, in Sacramento Superior Court (*Randy Rand, Ed.D. v. Board of Psychology*, Case No. 34-2009-80000259). A hearing on the petition for the writ was held on January 8, 2010.

On February 3, 2010 the Superior Court issued a Peremptory Writ of Mandate granting the petition in part. Consistent with the Peremptory Writ of Mandate and the Statement of Decision rendered and received by the Board on February 8, 2010, the Board will reconsider the matter at its regularly scheduled meeting on or about February 26, 2010. Oral argument will not be allowed.

IT IS HEREBY ORDERED that the decision in this matter effective June 28, 2009, is **SET ASIDE with respect to costs only** until a decision consistent with the Peremptory Writ and Statement of Decision is issued by the board. The remainder decision in the action against respondent, is not stayed, and remains in effect.

THE PARTIES ARE HEREBY NOTIFIED that they have the opportunity to present written argument to the Board on the issues remanded by the Superior Court and raised in the Statement of Decision. Particularly, briefing should address the issue of the appropriate cost penalty to be imposed in this matter. Further, briefing can address whether or not the matter must be remanded to an administrative law judge for additional hearing and collection of evidence. Argument shall be limited to the facts as presented in the transcript of the administrative hearing, and shall include citations to the relevant portions of the record. If submitted, briefing must be received at the office of the Board no later than 5 p.m. on **February 22, 2010**. Please submit an original and seven copies. Any written argument must be accompanied by a proof of service indicating proper service on the opposing party.

IT IS SO ORDERED this 11th day of February, 2010.


JAMES MCGHEE
President
Board of Psychology